

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

**PUBLIC ASSEMBLY ROOM
2ND FLOOR CITY-COUNTY BUILDING
1:00 P.M.**

STAFF REPORTS FOR JANUARY 14, 2016

**These reports do not in any way commit the Hearing Examiner
to approve or disapprove any petition filed before it.**

Any decision of the Hearing Examiner may be appealed to the full Metropolitan Development Commission, subject to deadlines prescribed by the Metropolitan Development Commission, rules of procedure. Please contact the Current Planning staff, 327-5155, within the first or second day after the hearing, to determine the appropriate appeal procedures.

PETITION NO.	PETITION ADDRESS AND LOCATION	PAGE
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EXPEDITED PETITIONS:

2015-ZON-088	6440 EAST COUNTY LINE ROAD FRANKLIN TOWNSHIP, CD #25	2
2015-ZON-107	49 NORTH EAST STREET CENTER TOWNSHIP, CD #15	13

CONTINUED PETITIONS:

2015-ZON-089	2926 BLUFF ROAD CENTER TOWNSHIP, CD #19	16
2015-ZON-091	3604 MADISON AVENUE PERRY TOWNSHIP, CD #23	28
2015-ZON-094	2636 SENOUR ROAD WARREN TOWNSHIP, CD #21	37
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2015-CZN-828** 2015-CVR-828** (AMENDED)	932 EAST 38 TH STREET WASHINGTON TOWNSHIP, CD #9	53
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2015-CZN-830**	1307, 1319 AND 1334 SOUTH MERIDIAN STREET AND 114	55
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2015-ZON-106*	6917 BLUFF ROAD PERRY TOWNSHIP, CD #22	69
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2015-CZN-837	756, 760, 764 AND 768 LYNN STREET AND 1941 WEST ST.	77
2015-CVC-837	CLAIR STREET CENTER TOWNSHIP, CD #15	

2015-CZN-838**	510 EAST FALL CREEK PARKWAY, NORTH DRIVE; 2819-	90
2015-CVR-838	2957 (ODD) NORTH CENTRAL AVENUE; 2802-2810	
2015-CVC-838	AND 2826-2844 (EVEN) RUCKLE STREET; 512 AND 518 EAST 28TH STREET; 507 AND 508 EAST 29TH STREET CENTER TOWNSHIP, CD #9 AND CD #15	

2015-CZN-839**	9017 AND 9119 MAZE ROAD	92
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*Automatic Continuance **Continuance Requested ***Withdrawal or Dismissal Requested

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2015-ZON-088
Address: 6440 East County Line Road (*Approximate Address*)
Location: Franklin Township, Council District #25
Petitioner: Manveer Sandhu, by Ben Singh Bashal
Request: Rezoning of 1.22 acres from the D-A district to the C-4 classification to provide for garden shop and retail nursery.

RECOMMENDATIONS

Staff **recommends approval** of this request, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. A minimum twenty-foot wide cross access easements shall be recorded to provide for pedestrian and vehicular integration, to and from this site and the adjacent parcels to the west and north, prior to the issuance of an Improvement Location Permit.
2. A seventy-foot half right-of-way shall be dedicated along the frontage of East County Line Road, as per the request of the Department of Public Works (DPW), Transportation Section. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The DPW has requested that the right-of-way be granted within 60 days of approval.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 1.22-acre site, zoned D-A, is developed with a single-family dwelling and a storage shed. It is surrounded by undeveloped land to the west and north, zoned C-4; undeveloped land to the south (Johnson County), across East County Line Road, and multi-family dwellings to the east, across Combs Road, zoned D-6II.
- ◇ The Comprehensive Plan recommends "Interchange Area Mixed-Use," which is a land use category providing "for a wide range of uses appropriate to the vicinity of Interstate interchanges where substantial developable land remains." The Plan further recommends that uses in this area be either employee-dense, customer-dense, or both.
- ◇ Appropriate uses for this area would include, but not be limited to, employee-dense light industrial uses, medium- to large-scale regional commercial uses, employee-dense office uses, apartment or condominiums, hospitals, and hotels/conference centers.

(Continued)

STAFF REPORT 2015-ZON-088 (Continued)

REZONING

- ◇ This request would rezone 1.22 acres from the D-A District, to the C-4 classification to provide for a garden shop and retail nursery. The Plan makes reference to the scarcity of large tracts of land in proximity to interstate exchanges where planning and development makes “good use of this valuable and scarce resource.” Developing only this site, without consideration for surrounding land, would severely limit the potential to develop this area for non-residential uses.
- ◇ This site also falls within Critical Area J (see Exhibit A), with a recommendation of large-scale development such as shopping centers or corporate headquarters. This comparatively small site should not be developed as a single use, but included as part of a larger tract of land developed in accordance with the Plan recommendation.
- ◇ Site access is currently from East County Line Road. No site plan has been filed indicating access drives for future development or integration with abutting properties. Staff would, therefore, request, at a minimum, 20-foot wide recorded cross access easements along the western and northern boundaries to permit future pedestrian and vehicular integration to and from this site and the adjacent parcels to the west and north.
- ◇ By integrating with and providing the infrastructure for integration to the property to the west and north, the site would become a de-facto out lot of a future C-4 development.
- ◇ Integration of sites along this corridor would also be consistent with the recommendation of the I-65 / County Line Road Strategic Plan, while minimizing curb cuts and providing a frontage road for access to out lots.

DEPARTMENT OF PUBLIC WORKS

- ◇ The Department of Public Works, Traffic Planning Section, also requested the dedication and conveyance of a 70-foot half right-of-way along East County Line Road.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-A	Single-family dwelling
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SURROUNDING ZONING AND LAND USE

North -	C-4	Undeveloped land
South -	D-A	Undeveloped land (Johnson County)
East -	D-6II	Attached multi-family dwellings
West -	C-4	Undeveloped land

(Continued)

STAFF REPORT 2015-ZON-088 (Continued)

NEIGHBORHOOD PLANNING
AREA (2008)

The I-65 / County Line Road Strategic Plan recommends interchange area mixed-use.

THOROUGHFARE PLAN

This portion of East County Line Road is designated on the Official Thoroughfare Plan as a primary arterial, with an existing 40-foot right-of-way and an proposed 140-foot right-of-way.

This portion of Combs Street is not designated on the Official Thoroughfare Plan.

ZONING HISTORY

SUBJECT SITE

None.

VICINITY

2007-ZON-121; 6400 East County Line Road, rezoning of 6.94 acres, being in the D-A District, to the C-4 classification to provide for community-regional commercial uses, **approved**.

2005-ZON-817; 8540 Combs Road and 8511 South Arlington Avenue (north of site), rezoning of 40 acres from D-A to D-P to provide for an adults only single-family subdivision and a church, **granted**.

2005-ZON-160; 8600 Combs Road (north of site), rezoning of ten acres from D-A to I-3-S, **granted**.

2000-DV1-069; 8940 Latitudes Drive (across Combs Road to east), variance of development standards to legally establish 36.5-foot tall multi-family dwellings in D-6II, **granted**.

98-Z-174; 8940 Latitudes Drive (formerly 6602 East County Line Road) (across Combs Road to east), rezoning of 50.02 acres from D-A to D-6II to provide for multi-family development, **granted**.

kb

Exhibit A

Critical Area J

Location: County Line Road from I-65 to Combs Road.

Current situation: Largely agricultural area in proximity to the I-65/County Line Road interchange. Contains some unplatted residential properties.

Recommended land use: Large-scale developments are recommended for the interchange area. Large sites in proximity to interchanges are scarce and should be reserved for uses that need the combination of a large site and immediate interstate access. Examples are large industrial uses, large-scale shopping centers or corporate headquarters. Although small-scale outlot development may be appropriate along some streets or at certain intersections, small- to medium-scale uses should not be sited in ways that preclude large-scale development.

Uses adjacent to protected districts (residences, churches, schools, parks) should be less intense and smaller in scale than those uses in the heart of the interchange area. Transitional areas should be wide enough to provide appropriate buffering and should be well landscaped. The width of the buffer and the opacity of the landscaping should increase as the difference in intensity of the neighboring uses increases. Variety in the landscape treatment of the transitional areas is desirable. Examples include variation in type, size and species of the trees and shrubs, inclusion of natural areas, variation in topography such as berms and inclusion of passive recreation features such as walking paths where appropriate.

Lighting should be designed to shield the light source from any protected district or right-of-way. The lighting design should also minimize overflow light into the night sky, provide adequate light for safety, and prohibit hazardous glare perceptible from any point beyond the lot lines.

I-65 at County Line Road is the most heavily traveled entry point into Indianapolis and Marion County from the south. It is important that a good first impression is made. The following design considerations are important in proximity to the interstate.

- Materials - buildings visible to the interstate should be constructed of high-quality, durable and aesthetically-pleasing materials. Examples include such materials as brick, stone, pre-cast concrete panels, tile, decorative block, wood lap siding, ceramic and glass.
- Finished sides - buildings should have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public rights-of-way.
- Blank walls - walls visible from the interstate should be articulated with openings, changes in materials, or architectural ornamentation.
- Landscaping - landscaping along the I-65 frontage should be balanced between providing a lush landscape with a variety of vegetation heights, colors and textures and providing reasonable visibility of structures and signs.
- Trash receptacles and refuse areas - trash receptacles and refuse areas should not be located where visible from I-65 and other public rights-of-way.

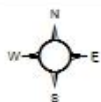
- Signs - Signs should be architecturally compatible with and accentuate the buildings and landscaping on the site in terms of colors, materials, and style. Examples of appropriate types of signs are ground signs, awning signs, wall signs, projecting signs, suspended signs, and window signs. Types of signs that are inappropriate are animated signs, roof signs, marquee signs, message centers, digital signs and electronic variable message signs. An excessive number of signs and excessively large signs are discouraged.
- Billboards - Off premises advertising should be restricted from the gateway area.

Pedestrian connectivity within the area and pedestrian connectivity with the surrounding development is important. Sidewalks should be provided along all public streets except Interstate 65. Within Critical Area J walkways and bike paths should be provided to form a walkway system that functionally connects all of the buildings' main front entrances with the sidewalks located along the public streets. Provisions should be made for adequate bicycle and scooter parking.

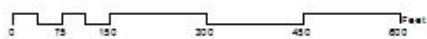
Streetscapes and the interiors of parking lots in the Critical Area should be well-landscaped to provide a lush landscape with a variety of vegetation heights, colors and textures while providing reasonable visibility of structures and signs. Trees should be planted extensively to cool paved surfaces and intercept stormwater.

During this Critical Area's transition from relatively undeveloped to fully developed, the homes within this Critical Area should be adequately buffered from the new development surrounding them.

The Interchange Area Mixed-Use designation for this area allows for flexibility in development of industrial, commercial and multi-family residential projects. However the mix of these uses within the Critical Area should not be haphazard or indiscriminate. Traffic generation, truck traffic, compatibility of uses, integration of uses, and building heights and mass should all be evaluated when considering siting of uses within the Critical Area.



6440 East County Line Road





View of dwelling looking north



View from site looking west



View from site looking south across East County Line Road



View from site looking south east across East County Line Road



View from site looking east across Combs Road



View from site looking north at adjacent property



View of storage shed looking northeast



View of rear yard looking west

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2015-ZON-107
Address: 49 North East Street (Approximate address)
Location: Center Township, Councilmanic District # 15
Petitioner: RLB Market Street Real Estate, LLC, by David Kingen and Justin Kingen
Request: Rezoning of 0.45 acre, from the I-3-U (RC) District, to the CBD-2 (RC) classification.

RECOMMENDATIONS

Staff **recommends approval** of the petition.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ The request would provide for the rezoning of a 0.45-acre parcel, located at the southwest corner of East Street and Market Street, from the I-3-U classification to the CBD-2 classification. Market Street is a two-way arterial street and East Street is a one-way southbound arterial street.
- ◇ The subject site is a gravel parking lot. Surface parking lots exist to the east and south of the subject site. A not-for-profit organization is located to the north, across Market Street, and a mixed-use development is located west, across East Street.
- ◇ This request would comply with the Regional Center Plan 2020, which recommends the site for core support development.

REGIONAL CENTER

- ◇ The site is located within the Regional Center overlay district. Design of all new construction, including parking areas in the Regional Center overlay district, is subject to the approval of the Administrator of the Division of Planning.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE I-3-U (RC) Gravel surface parking

(Continued)

STAFF REPORT 2015-ZON-107 (Continued)

SURROUNDING ZONING AND LAND USE

North	-	CBD-2 (RC)	Not-for-profit office
South	-	I-3-U (RC)	Surface parking
East	-	CBD-2 (RC)	Surface parking
West	-	CBD-2 (RC)	Mixed-use development (Retail and multi-family residential)

COMPREHENSIVE PLAN The site is located within the boundaries of the Regional Center Plan 2020, which recommends core support development.

THOROUGHFARE PLAN The Official Thoroughfare Plan for Marion County indicates that Market Street is a primary arterial, with a 75-foot right-of-way existing and proposed. East Street is a primary arterial, with a 90-foot right-of-way existing and proposed.

ZONING HISTORY

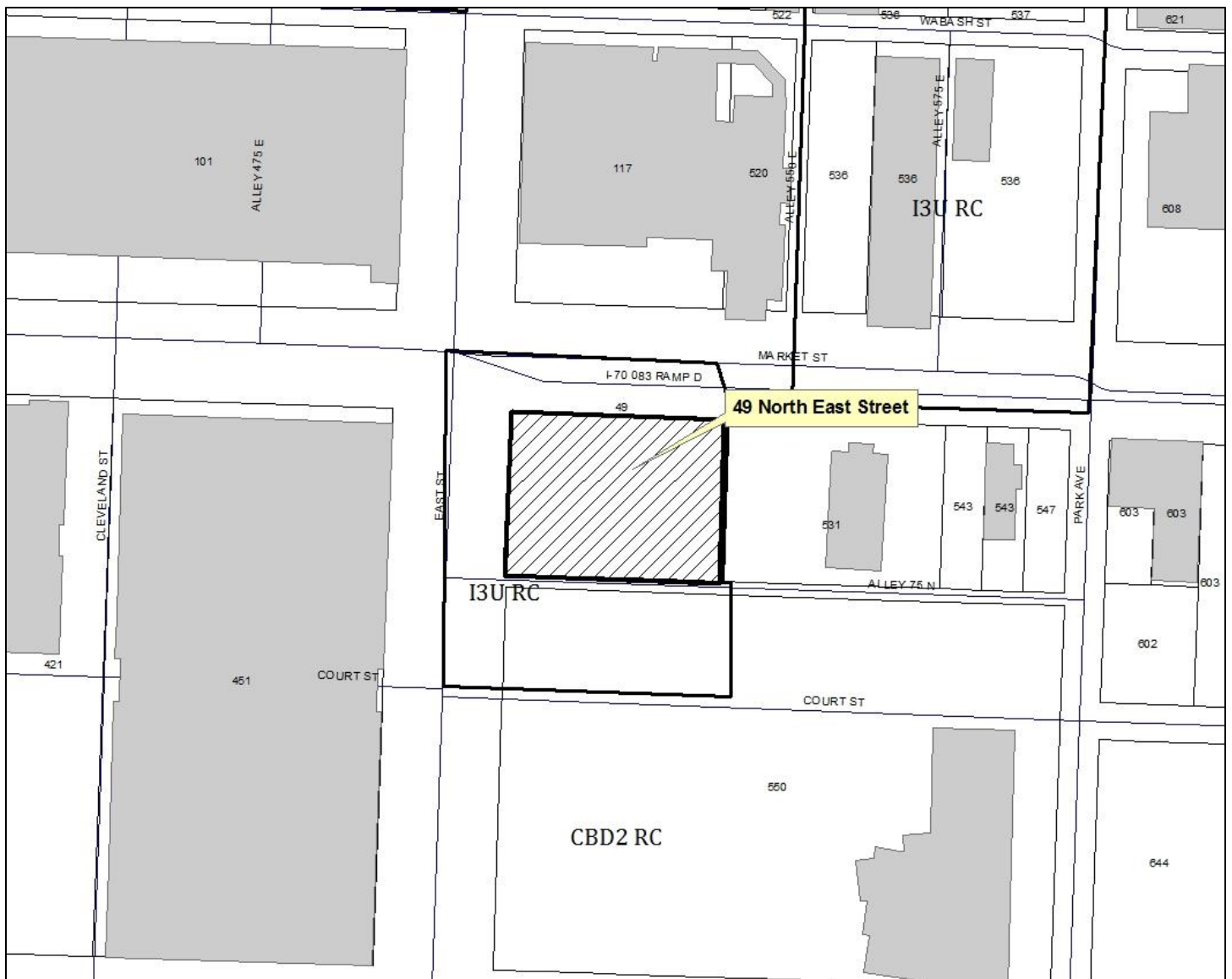
2013-DV3-022; 117 North East Street, requests a variance of development standards of the Central Business Districts Zoning Ordinance to provide for 18 parking spaces, **granted**.

2013-REG-123; 450 East Washington Street, requests Regional Center Approval to provide for the construction of a mixed-use development, including 244 multi-family residential units and 15,000 square feet of commercial uses, **approved**.

2011-ZON-067; 117 North East Street, requests a rezoning of 0.74 acre, from the I-3-U (RC) District, to the CBD-2 (RC) classification to provide for central business district two uses, **approved**.

2010-CZN-823 / 2010-CVR-823; 520 East Market Street, requests a rezoning of 0.23 acre from the I-3-U (RC) District, to the CBD-2 (RC) classification to provide for a shelter facility and a variance of development standards of the Central Business District Zoning Ordinance to provide for a three-story rear addition to a shelter facility, with zero-off street parking spaces and to provide for a one-foot side yard setback (zero-foot setback permitted, but when side setback is provided along a lot line not abutting an alley, said setback must be at least 10 feet), **approved**.

JY



Zoning map – 2015-ZON-107

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2015-ZON-089
Address: 2926 Bluff Road (*Approximate Address*)
Location: Center Township, Council District #19
Petitioner: KGS Dhaliwal – Midland West Inc., by Ben Singh Bashal
Request: Rezoning of 2.265 acres from the D-A (FF) district to the C-7 (FF) classification to provide for boat dealerships.

RECOMMENDATIONS

Staff **recommends denial** of this request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 2.265-acre site, zoned D-A, is developed with two single-family dwellings and a pole barn. It is surrounded by multi-family dwellings to the north and east, zoned D-A; a single-family dwelling to the south, zoned D-A; industrial uses to the west and north, zoned I-3-U, and commercial uses to the east, zoned C-7.
- ◇ The Comprehensive Plan recommends light industrial uses for this site, which could consist of assembly operations of pre-manufactured parts or components and assembly, repair, or manufacturing of small component parts of products. The recommended zoning classification is I-2-U.

REZONING

- ◇ This request would rezone 2.265 acres from the D-A District to the C-7 classification to provide for boat dealerships. The C-7 District is a high intensity commercial district characterized by “major outdoor storage or display of sizeable merchandise.” This district is more appropriately located on major commercial arterial thoroughfares. While Bluff Road is designated as a primary arterial, it is not a major commercial thoroughfare.
- ◇ If rezoned to an Industrial classification supported by the light industrial Plan recommendation, outdoor display would be prohibited and the amount of outdoor storage would be limited to 25% of the building’s floor area. Therefore, the commercial intensity and the amount of outdoor display storage associated with a boat dealership would not be appropriate on this site. Furthermore, retail commercial uses are uncommon in this area and would disrupt the surrounding area of primarily light industrial uses.

(Continued)

STAFF REPORT 2015-ZON-089 (Continued)

INFRASTRUCTURE

- ◇ Because this rezoning would change the land use from residential to commercial, the petitioner would be required to provide for treatment of waste water, including, but not limited to, connection to the sanitary sewer, or installation of a commercial on-site wastewater treatment system.
- ◇ If approved, the petitioner should contact the Marion County Health Department to determine what measures would be required to address the treatment of wastewater on this site.

FLOODWAY FRINGE

- ◇ A large portion of this site has a secondary zoning classification of a Floodway Fringe (FF), which is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.
- ◇ The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. All uses permitted in the primary zoning district (C-7 in this request) are permitted, subject to certain development standards of the Flood Control Districts Zoning Ordinance.

DEPARTMENT OF PUBLIC WORKS

- ◇ The Department of Public Works, Traffic Planning Section, also requested the dedication and conveyance of a 60-foot half right-of-way along Bluff Road.

PROCEDURE

If this request is approved, staff recommends that the following commitment be reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

A sixty-foot half right-of-way shall be dedicated along the frontage of Bluff Road, as per the request of the Department of Public Works (DPW), Transportation Section. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The DPW has requested that the right-of-way be granted within 60 days of approval.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-A	Single-family dwelling and storage buildings
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SURROUNDING ZONING AND LAND USE

North -	D-A	Multi-family dwellings
South -	D-A	Single-family dwelling
East -	D-A / C-7	Multi-family dwellings / commercial uses
West -	I-3-U	Industrial uses

(Continued)

STAFF REPORT 2015-ZON-089 (Continued)

NEIGHBORHOOD PLANNING AREA (2000)	The Concord Community Plan recommends light industrial.
THOROUGHFARE PLAN	This portion of Bluff Road is designated on the Official Thoroughfare Plan as a primary arterial, with an existing 50-foot right-of-way and a proposed 120-foot right-of-way.
SITE PLAN	File-dated, October 19, 2015
FLOODWAY / FLOODWAY FRINGE	A majority of this site falls within the floodway fringe of White River.

ZONING HISTORY

SUBJECT SITE

ZONING HISTORY

2009-ZON-812 /2009-VAR-812; 2926 Bluff Road, requested rezoning of 2.265 acres, from the D-A (FF) District, to the I-2-U (FF) classification to provide for light industrial uses; and a variance of use and development standards of the Industrial Zoning Ordinance to legally establish a single-family dwelling, with a 16-foot south side setback and legally establish a storage building with reduced north and south side setbacks, legally establish gravel drives and off-street parking area, and provide for zero landscaping and screening, **withdrawn**.

89-V1-39; 2926 Bluff Road, requested a variance of development standards of the Sign Regulations to provide for a double-faced ground sign, with an interior angle greater than 15 degrees, **granted**.

VICINITY

2005-ZON-854 – 2005-VAR-854; 244 and 300 West Troy Avenue and 2900 and 2921 Bluff Road and 2954 South Capitol Avenue, requested rezoning of 39.587 acres, being in the D-A (FF) and C-7 Districts, to the C-7 (FF) classification to provide for high intensity commercial uses; and a variance of use and development standards of the Commercial Zoning Ordinance to provide for outdoor storage within 15 feet of a protected district and without the required screening, **withdrawn**.

88-UV1-87; 2916 Bluff Road, requested a variance of use of the Commercial and Industrial Zoning Ordinance to provide for commercial and industrial use and development, **approved**.

87-Z-138; 1916 Bluff Road, requested rezoning of 20.1 acres, being in an A-1 District to the I-3-U classification to provide for the re-use of an industrial structure, **approved**.

78-Z-1; 606 West Troy Avenue, requested rezoning of 13.1 acres, being in the A-2 District, to the I-3-U classification to conform zoning to its industrial use and to permit expansion, **approved**.

(Continued)

STAFF REPORT 2015-ZON-089 (Continued)

73-Z-314; 2916 Bluff Road, requested rezoning of 20.54 acres being in the I-3-U and A-2 Districts to the I-3-U classification to provide for contractors' office and shops, **approved**.

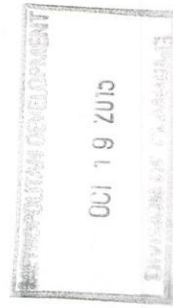
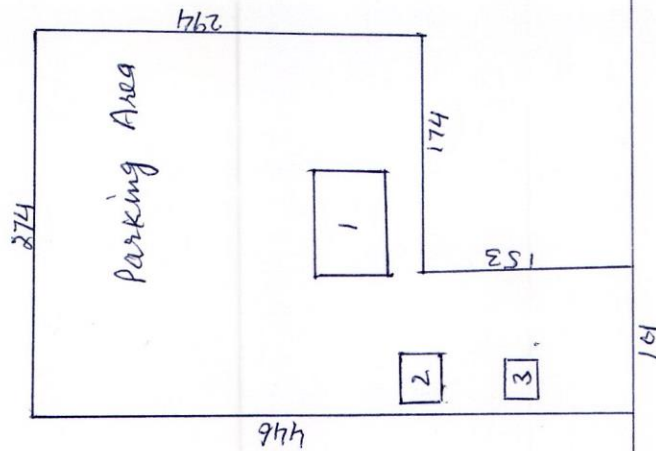
73-Z-26; 602 West Troy Avenue, requested rezoning of 3.02 acres, being in the A-1 District, to the I-3-U classification, to provide for a motor truck terminal, **approved**.

kb

Site Plan

2926 Bluff Rd,
Indianapolis, IN 46225

- ① Shop 66' x 42'
- ② House 2146 sq ft
- ③ House 2410 sq ft



Bluff Road. 1" = 100'



View of site looking west, across Bluff Road



View of pole barn looking northeast from rear of site



View looking east from rear of site



View looking east from the rear of site at single-family dwelling



View looking northwest at second single-family dwelling



View looking north at adjacent multi-family dwellings



View looking northwest across Bluff Road at adjacent multi-family dwellings



View from site looking east, across Bluff Road



View looking southeast at abutting single-family dwelling to the south of site



View looking west from rear of site



View from site looking north



View from site looking southeast

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2015-ZON-091
Address: 3604 Madison Avenue (*Approximate Address*)
Location: Perry Township, Council District #23
Petitioner: Liberty Commercial Investors, LLC, by Ravinder Chaudhary
Requests: Rezoning of three acres from the D-A district to the C-7 classification to provide for boat rental.

RECOMMENDATIONS

Staff **recommends denial** of this request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 3.0-acre site, zoned D-A, is developed with a single-family dwelling converted to a commercial use, with building expansions. A variance of use for the hardware store was granted in 1979 (79-UV3-91). The site is surrounded by commercial uses to the north and south, zoned C-5; undeveloped land to the east, across Madison Avenue, zoned C-7, and a single-family dwelling, along with commercial uses to the west, zoned D-A.
- ◇ The neighborhood plan for this area recommends commercial retail and services. As described in the plan, this land use category allows for uses typically found in the C-3 Neighborhood Commercial District, which provides for a complete range of retail sales and personal, professional and business services required to meet the maximum demand of a fully developed residential neighborhood.

REZONING

- ◇ This request would provide for rezoning to the C-7 High Intensity Commercial District to provide for boat rental. This district provides for retail commercial uses, which have incompatible features relative to other commercial uses, such as major outdoor storage or display of sizeable merchandise. Due to the intensity of permitted uses, "location of this district adjacent to protected districts should be avoided."
- ◇ Because of the impact of large outdoor display, development standards of the C-7 District require setbacks from all surrounding land uses, repair and service be conducted within enclosed buildings, a 20-foot setback from the proposed right-of-way for product display, hard-surfaced display areas, and display areas maintained in an orderly manner.

(Continued)

STAFF REPORT 2015-ZON-091 (Continued)

- ◇ Because the proposed rezoning would be inconsistent with the neighborhood plan, constrained by the floodplain, and impacting the surrounding properties because of its intensity, staff recommends this request be denied.

FLOODWAY FRINGE

- ◇ This site has a secondary zoning classification of a Floodway Fringe (FF), which is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.
- ◇ The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. All uses permitted in the primary zoning district (C-7 in this request) are permitted, subject to certain development standards of the Flood Control Districts Zoning Ordinance.

DEPARTMENT OF PUBLIC WORKS

- ◇ The Department of Public Works, Traffic Planning Section, also requested the dedication and conveyance of a 60-foot half right-of-way along Madison Avenue.

PROCEDURE

If this request is approved, staff recommends that the following commitment be reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

A sixty-foot half right-of-way shall be dedicated along the frontage of Madison Avenue, as per the request of the Department of Public Works (DPW), Transportation Section. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The DPW has requested that the right-of-way be granted within 60 days of approval.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-A	Vacant (previously a hardware store)
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SURROUNDING ZONING AND LAND USE

North -	C-5	Commercial uses
South -	C-5 / D-7	Commercial uses
East -	C-7	Undeveloped land
West -	D-A	Single-family dwelling / commercial use

NEIGHBORHOOD PLANNING AREA (2000)

The Concord Community Plan recommends commercial retail and services.

(Continued)

STAFF REPORT 2015-ZON-091 (Continued)

THOROUGHFARE PLAN	This portion of Madison Avenue is designated on the Official Thoroughfare Plan as a secondary arterial, with an existing 90-foot right-of-way and a proposed 120-foot right-of-way.
FLOODWAY / FLOODWAY FRINGE	A large portion of this site falls within the floodway fringe of Highland Creek.

ZONING HISTORY

SUBJECT SITE

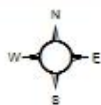
79-UV3-91; 3604 Madison Avenue requested a variance of use, development standards of the Flood Way to permit erection of 50' x 60' warehouse building for existing non-conforming hardware store, **granted**.

VICINITY

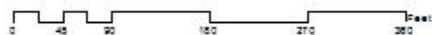
94-UV1-67; 520 East Norton Avenue (west of site), requested a variance of use for the Dwelling districts Zoning Ordinance to provide for outdoor storage of automobiles, **granted**.

90-V1-55; 3750 Madison Avenue (south of site), requested a variance of the Sign Regulations to permit the placement of sign graphics on gasoline pumps in excess of 12 square feet, **withdrawn**.

kb



3604 Madison Avenue





View of site looking north along Madison Avenue



View of site looking east from Norton Avenue



View of site looking north from gravel parking area



View looking west along Norton Avenue towards South East Street



View from site looking northeast at adjacent commercial uses



View from site looking southeast, across Madison Avenue



View from site looking east, across Madison Avenue



View from site looking northeast, across Madison Avenue



View from site looking south



View from site looking northwest

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2015-ZON-094
Address: 2636 Senour Road (approximate address)
Location: Warren Township, Council District #21
Petitioner: Ascent 121 Inc., by Mary E. Solada
Request: Rezoning of 27.195 acres from the D-A (FF) (FW) district to the SU-7 (FF) (FW) classification to provide for a faith-based non-profit providing advocacy and recovery services for teenage girls.

An automatic continuance has been filed by a registered neighborhood group, continuing this petition from the December 10, 2015 hearing to the January 14, 2016 hearing. Subsequently, draft commitments, file-dated December 29, 2015, have been submitted to the file and to interested parties for review and comment.

RECOMMENDATIONS

Staff **recommends approval** of this request, subject to Commitments One, Two, Four and Five and the elimination of Commitment Three of Exhibit One and the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. A 140-foot right-of-way shall be dedicated for German Church (Senour) Road, in accordance with Section 13 of the Thoroughfare Plan supplement, adopted June 17, 1998, per the request of the Department of Public Works, Transportation Section, (DPW). Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The DPW has requested that the right-of-way be granted within 60 days of approval.
2. Recreational facilities, including a barn for horses and a horse corral, may be allowed during the Special Districts Zoning Ordinance Administrator's Approval process. A shooting range shall not be allowed.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 27.195-acre site, zoned D-A (FF) (FW), is undeveloped. The surrounding uses include a golf course to the north, zoned PK-1; and residential and forest to the east, west and south, zoned D-A.

(Continued)

STAFF REPORT 2015-ZON-094 (Continued)

- ◇ This request would be inconsistent with the Comprehensive Plan recommendation of zero to 1.75 units per acre; however, the proposed district and use can only be generally planned for, as they fall within the category of special districts and uses whose appropriateness vary depending upon the intensity of the specific proposal and their compatibility with the surrounding districts and uses.
- ◇ In this case, Staff had concerns regarding the maximum number of residents at this facility. While the petition description indicated that the proposal would permit twelve residents, Staff doubted that would be the maximum use of this facility. Concerns would arise if the number of residents would unreasonably diverge from the Plan's recommendation.
- ◇ Seven preliminary commitments, file-dated December 29, 2015, indicate that the maximum number of residents would be 40, consisting of girls and women aged twelve and older, who have experienced abuse and exploitation. A maximum of ten clients could also be on-site for out-patient counseling. With the maximum proposed, the density of residents would be 1.47 residents per acre, which would be less intense than a similar ratio of dwelling units per acre, considering the average household size of 2.42 persons.
- ◇ Even removing the approximately 3.862 acres of this site, within the floodway, the residents per acre would be 1.71 residents per acre. Therefore, in Staff's opinion, with the limiting commitments, this request would be a reasonable deviation from the plan recommendation.
- ◇ Additionally, the commitments generally restrict signs, prevent the owner from contesting a City initiated rezoning back to the D-A district under certain circumstances, restrict the maximum number and size of residential buildings (total maximum of 36,000 square feet), provide for a setback of 200 feet from Senour Road, provide for recreational facilities and prohibit shooting ranges, and generally provide for right-of-way dedication.
- ◇ Staff has concerns about the wording of some of the few commitments. Commitment Three creates expectations that the city would monitor the operation and consider initiating a rezoning. No member of DMD Staff has suggested that would be a possibility; therefore, Staff would prefer the commitment not be included. Commitment Six indicates that recreational facilities, including horse barns shall be permitted and not limited in size. A commitment cannot establish uses that are not permitted, nor should a commitment nullify the review required for a special use district, with respect to the review of accessory structures. Therefore, this commitment should be modified to indicate that such structures and uses may be allowed, and to eliminate the sentence providing for unlimited accessory building area. Finally, Commitment Seven, regarding right-of-way dedication should be more specific, as indicated in the recommendation.

(Continued)

STAFF REPORT 2015-ZON-094 (Continued)

DEPARTMENT OF PUBLIC WORKS

- ◇ A 140-foot right-of-way shall be dedicated for German Church (Senour) Road, in accordance with Section 13 of the Thoroughfare Plan supplement, adopted June 17, 1998, per the request of the Department of Public Works, Transportation Section, (DPW). Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The DPW has requested that the right-of-way be granted within 60 days of approval.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-A Undeveloped

SURROUNDING ZONING AND LAND USE

North -	PK-1	Golf Course
South -	D-A	Single-family dwelling
East -	D-A	Undeveloped
West -	D-A	Single-family dwelling

COMPREHENSIVE PLAN (2007)	Recommends residential development of zero to 1.75 units per acre.
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THOROUGHFARE PLAN	The Official Thoroughfare Plan provides for a 140-foot right-of-way on the east end of this property, for a realigned Senour Road, as a primary arterial, connecting German Church Road at Brookville Road to Senour Road, at Troy Avenue.
-------------------	--

COMMITMENTS	File-dated December 29, 2015
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ZONING HISTORY

2014-DV3-026; 2325 South German Church Road, variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 1,500-square foot detached garage located in front of the established building line of the primary dwelling, with an approximately zero-foot setback from the proposed right-of-way of Brookville Road, with a 10-foot east side setback, creating an accessory building area of 1,500 square feet or 114.7% of the main floor area of the primary building and an accessory use area of 2,798 square feet or 213.9% of the total floor area of the primary dwelling, **approved**.

2008-DV1-032; 2610 Senour Road, requests a variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a 720-square foot detached garage with a fifteen-foot south side setback, and legally establish a 320-square foot outbuilding with a four-foot north side setback, resulting in an accessory building area of 1,280 square feet or 96.97 percent of the main floor area of the primary structure, and resulting in an accessory use area of 1,645 square feet or 124.62 percent of the total living area of the primary structure, **granted**.

(Continued)

STAFF REPORT 2015-ZON-094 (Continued)

96-Z-36; 2316 South German Church Road, requests a rezoning of 25 acres from PK-1 to SU-34 to conform zoning classification for campground use and to correct a map error in connection of petition 88-Z-131, **approved**.

86-UV1-115, 11011 Brookville Road; requests a variance of the Ordinance to provide for the continued use of the property as a pay-to-fish lake and turkey shoot area and to construct a bait and tackle shop, restrooms and snack bar. The existing use was established by temporary variance in 1982, **granted**.

86-UV1-105, 11011 Brookville Road; requests a variance of use to provide for the construction of second story residence above a commercial building, **granted**.

82-UV1-30, 11011 Brookville Road; requests a variance of use to provide for a fishing lake, with two trailers of the property and a turkey shoot, **granted (two-year period)**.

76-UV2-143, 11011 Brookville Road; requests a variance of use to provide for retail fished lakes, **granted (five-year period)**.

LWC

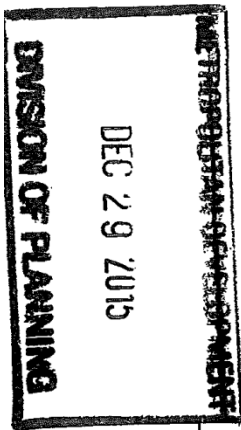


EXHIBIT A-1
PROPOSED COMMITMENTS

ASCENT 121, INC.
2636 Senour Road (east side of Senour Road only)

Petition No. 2015-ZON-094

1. The use of the subject property shall be limited to the following "Program:"
 - a. Residential advocacy and recovery services for girls and young women not younger than twelve (12) years of age who have experienced abuse and exploitation.
 - b. Outpatient counseling services for girls and young women may be provided, provided that no more than ten (10) patients shall be allowed to frequent the subject property at any time.
 - c. No more than forty (40) girls or young women shall reside on the subject property at any time.
 - d. Supervision shall be provided for residents twenty-four (24) hours a day, seven (7) days a week.
 - e. Visitation by friends and family shall be infrequent and supervised.
2. No signage identifying the Program shall be posted. Signage shall be limited to directional signage in keeping with any signage typically allowed in residential subdivisions.
3. In the event that the Program provided on the subject property, once operational, is discontinued for a period of eighteen (18) months or longer, the then owner of the subject property shall not contest any rezoning to the D-A Zoning District if initiated by the City of Indianapolis, Department of Metropolitan Development.
4. No more than four (4) residential occupancy buildings shall be developed on the subject property. The maximum size of each residential building shall not exceed 10,000 square feet. The maximum total size of all residential occupancy buildings, together, shall not exceed 36,000 square feet.
5. The minimum setback of any building shall not be closer than two-hundred (200) feet from the east right-of-way of Senour Road.
6. Recreational facilities, including a barn for horses and a horse corral, shall be specifically allowed. The square footage of accessory buildings shall not be limited. A shooting range shall not be allowed.
7. Petitioner or any subsequent owner shall dedicate such right-of-way as proposed by the current Thoroughfare Plan of Marion County, Indiana.

Photograph One – Looking along the north edge of the property from the southern access drive to the golf course property.

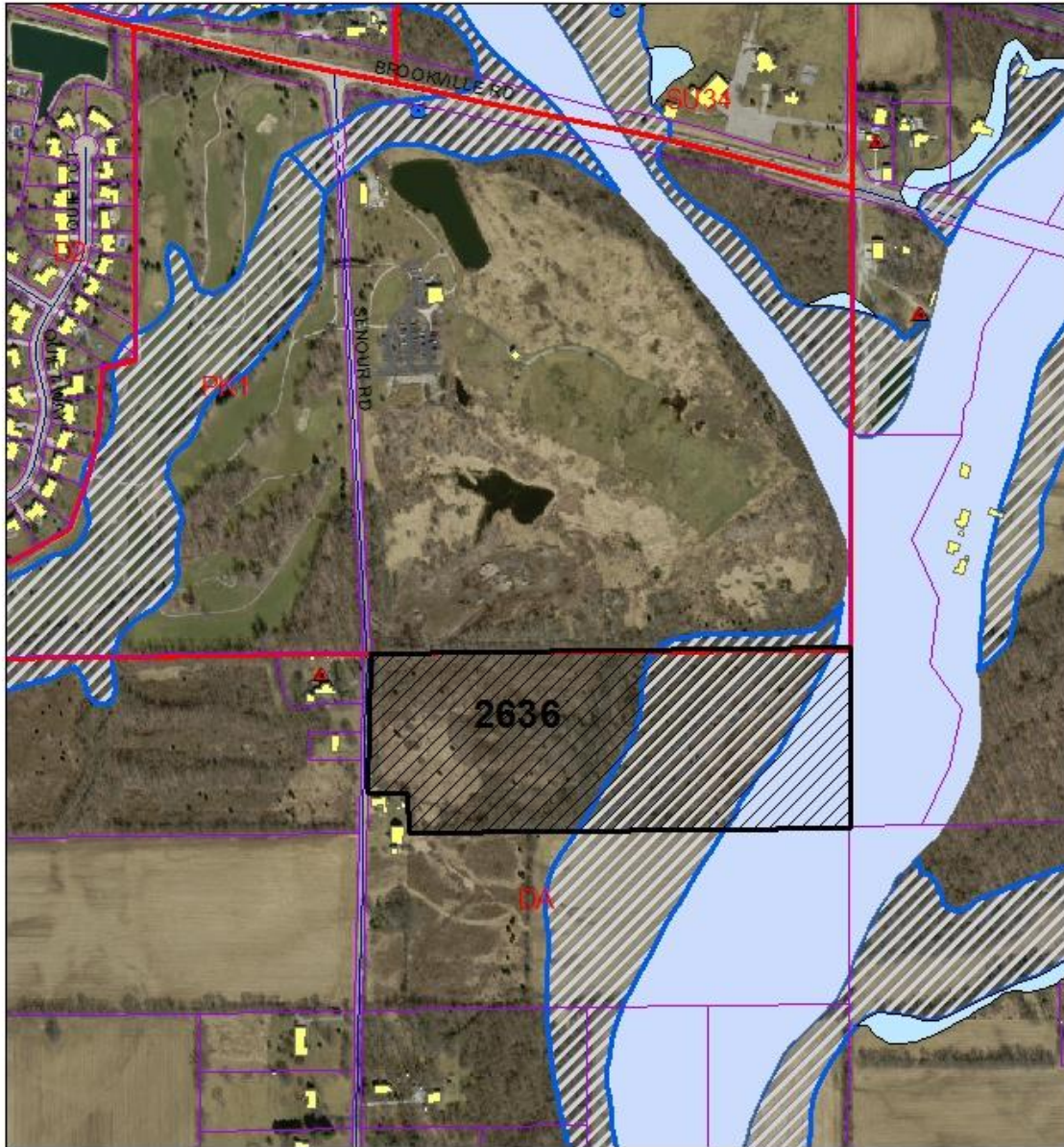


Photograph Two- Looking south along frontage of the property





2015-ZON-094



0 235 470 940 1,410 1,880 Feet



STAFF REPORTPRIVATE

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2015-ZON-098
Address: 3401 North Emerson Avenue (*Approximate Address*)
Location: Warren Township, Council District #17
Petitioner: M & T Investor's Inc., %Gurpreet S. Malhi
Request: Rezoning of 0.63 acre from the D-4 District to the C-3 classification to provide for commercial retail uses.

Notice to surrounding property owners was not sent for this petition; therefore, this petition was continued to the December 17, 2015 hearing to the January 14, 2016 hearing, with notice.

RECOMMENDATIONS

Staff **recommends approval** of this petition.

SUMMARY OF ISSUES

The following information was considered in formulating the recommendation:

LAND USE

- ◇ This 0.63-acre site is improved with a commercial building, which was constructed after the approval of a variance of use for a gasoline station in 1966. The building has generally been used for automobile repair uses during the last twenty-five years, since the approval of a variance in 1990. During Staff's site visit, it did not appear a business was currently operating at this site.
- ◇ The surrounding uses include residential to the north and east, zoned D-4 and D-2, respectively; multi-family residential to the south, zoned D-P; and commercial to the west, zoned C-3. This request, which would be consistent with the land use and zoning plans of the Neighborhood Plan, would rezone this site to the C-3 district, a district which permits less intense uses than the uses approved by the 1990 variance.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-4	Vacant commercial
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SURROUNDING ZONING AND LAND USE

North -	D-4	Single-family dwelling
South -	D-P	Multi-family residential
East -	D-2	Single-family dwelling
West -	C-3	Convenience store / gasoline station

(Continued)

STAFF REPORT 2015-ZON-098 (Continued)

NEIGHBORHOOD PLANNING AREA	The United Northeast plan recommends commercial retail and service and the C-3 district.
THOROUGHFARE PLAN	The Official Thoroughfare Plan indicates that Emerson Avenue is a primary arterial, with a 120-foot right-of-way existing and a 140-foot right-of-way proposed and that this portion of 34 th Street, east of Emerson Avenue is not indicated on the Official Thoroughfare Plan.

ZONING HISTORY

2000-ZON-186 (2000-DP-026); 3347 North Emerson Avenue, requests rezoning of 8.19 acres from the C-S district to the D-P classification to provide for a maximum of 90 senior apartments (14.17 units/acre), **approved**.

93-Z-185; 3333 North Emerson Avenue, requests rezoning go eight acres from D-4 to C-S proposed use a multi-purpose service center including six churches, a bible college, computer school, an Indianapolis Public Schools kindergarten, a day care center and a garment manufacturing operation, **approved**.

92-UV3-81; 3270 North Emerson Avenue, requests a variance of use to permit automobile sales and display, **denied**.

90-UV2-132; 3401 North Emerson Avenue, requests a variance of use to permit automobile repair, **approved**.

90-UV2-28; 5061 East 34th Street, requests a variance of use to legally establish a tire service center, **approved**.

90-UV2-19; 3330 North Emerson Avenue, requests a variance of use and development standards to permit a real estate office and a bookstore with parking in the side and rear setback, **approved**.

88-UV2-110; 3401 North Emerson Avenue, requests a variance of use to permit automobile sales and repair, **denied**.

85-UV2-123a; 3401 North Emerson Avenue, requests a variance of use to permit automobile sales and display, **denied**.

85-UV2-123b; 3401 North Emerson Avenue, requests a variance of use to permit automobile car wash, **approved**.

83-UV3-34; 3401 North Emerson Avenue, requests a variance of use to permit retail sales of automobile parts and accessories in addition to an existing restaurant, **approved**.

79-UV1-104; 3401 North Emerson Avenue, requests a variance of use to permit an ice cream store and variety store, **approved**.

(Continued)

STAFF REPORT 2015-ZON-098 (Continued)

66-V2-53; 3401 North Emerson Avenue, requests a variance of use and development standards to permit the construction of a gasoline service station, **approved.**

65-V-173; 3401 North Emerson Avenue, requests a variance of use and development standards to permit the construction of a gasoline service station, **approved.**

LWC

Photograph One – From Emerson Avenue.



Photograph Two – From 34th Street





STAFF REPORT

Department of Metropolitan Development Division of Planning - Current Planning Section

Case Number: 2015-CZN-828 / 2015-CVR-828
Address: 932 East 38th Street (*Approximate Address*)
Location: Washington Township, Council District #9
Petitioner: Mohammad Abdulla, by David Kingen and Justin Kingen
Requests: Rezoning of 0.24 acre from the D-5 (W-5) district to the C-3C (W-5) classification.

Variance of use and development standards of the Commercial Zoning Ordinance to provide for minor automobile repairs such as tune-ups, battery check and replacement and other light repairs, a tire shop, with outdoor display (not permitted), to legally establish zero-foot front yards along 38th Street and Winthrop Avenue (10-foot front yards, with landscaping, required) and zero-foot west and north side transitional yards (15-foot transitional yards, with landscaping, required), and to legally establish a trash container in front of the established front building line (not permitted).

This petition was continued from the November 12, 2015, hearing, to the December 10, 2015 hearing, and from the December 10, 2015 hearing to the January 14, 2016 hearing at the request of the petitioner.

The petitioner has requested an additional continuance to the **February 11, 2016** hearing to allow additional time to refine their requests and work with affected parties. Staff would have no objection to this continuance.

RU

STAFF REPORT

Department of Metropolitan Development
Division of Planning
Current Planning Section

Case Number: 2015-CAP-829 / 2015-CVR-829
Address: 5406 South Emerson Avenue (*Approximate Address*)
Location: Perry Township, Council District #24
Petitioner: JB Hadley Real Estate LLC, by David Kingen and Justin Kingen
Requests: Modification of Commitments to terminate Commitment Three of 2008-ZON-096, limiting freestanding signs to a height of four feet.

Variance of development standards of the Sign Regulations to provide for a 12-foot tall, 77.1 square foot freestanding sign, with an electronic variable message sign (not permitted), within approximately 80 feet of a signalized intersection (minimum 125-foot separation required) and within 76 feet of the nearest protected district (maximum four-foot tall sign permitted within 600 feet of the nearest protected district).

The Hearing Examiner continued this petition from the November 12, 2015, hearing, to the December 10, 2015, hearing and from the December 10, 2015, hearing to January 14, 2016, hearing at the request of the petitioner.

The petitioner has requested a continuance from the January 14, 2016, hearing to the February 25, 2016, hearing. Staff would have no objection to the continuance.

kb

STAFF REPORT

Department of Metropolitan Development Division of Planning

Case Number: 2015-CZN-830 / 2015-CVR-830
Address: 1307, 1319 and 1334 South Meridian Street and 114 Arizona Street
Location: Center Township, Council District #19
Zoning: D-8
Petitioner: SN and Associates, LLC, by David Kingen and Justin Kingen
Request: Rezoning of 4.89 acres from the I-3-U, D-8 and C-1 districts to the C-S classification to provide for a 17,500-square foot building addition and the manufacturing of construction equipment, air compressors and electric motor assemblies and I-2U uses, with exceptions (1334 and 114), C-3C uses (180 feet deep along the west side of Meridian Street (1334) and 100 feet deep along the east side of Meridian Street (1307 and 1319)), multi-family dwelling units (1307, 1319, 1334 and 114), and an off-site parking lot (1307 and 1319).

Variance of development standards of the Commercial Zoning Ordinance (1307 and 1319) to legally establish and provide for a building and / or off-site parking lot, with a six-foot transitional north front setback along Orange Street, a six-foot west side setback along Meridian Street and a 10-foot front transitional setback along Charles Street (10-foot front yard for parking and 70-foot setback from the centerline for buildings and a 20-foot front transitional yard required).

Variance of development standards of the Commercial Zoning Ordinance (1334 and 114) to provide for a zero-foot front setback along Wisconsin Street (10-foot front and 20-foot front transitional yards required), a zero-foot front yard along Meridian Street (10-foot front yard for parking and 70-foot setback from the centerline for buildings required), and 10-foot south front and west side transitional yards (20-foot front transitional setback and 15-foot side transitional setback required).

The Hearing Examiner continued these petitions from the November 12, 2015, hearing to the December 10, 2015, hearing to allow time for further discussions with affected parties and from the December 10, 2015, hearing to the January 14, 2016 hearing, at the request of the petitioner.

The petitioner has requested a continuance from the January 14, 2016, hearing to the January 28, 2016, hearing to provide additional time to refine the requests. Staff would have no objection to the continuance.

kb

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2015-CZN-835 / 2015-CVR-835 (Amended)
Address: 1102 East 16th Street
Location: Center Township, Council District #9
Petitioner: TWG Development, LLC., by Joseph D. Calderon
Request: Rezoning of 4.55 acres from the I-3-U, D-8, and C-5 districts to the C-3C classification to provide for a mixed-use development, with 142 residential units and 12,250 square feet of commercial space.

Variance of development standards of the Commercial Zoning Ordinance to provide for and legally establish multi-family buildings setback 35 feet from the centerline of 16th Street (70-foot setback from the centerline required), with 152 parking spaces (262 parking spaces required).

RECOMMENDATIONS

Staff **recommends approval** of the rezoning request.

Staff **recommends approval** of the variance request, subject to substantial compliance with elevations file-dated January 4, 2016, and the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

An amended site plan shall be submitted for Administrator's Approval prior to the issuance of an Improvement Location Permit, which identifies between 20 and 25 additional parking spaces for and proximate to the commercial uses.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 4.55-acre site, zoned I-3-U, D-8, and C-5, is currently vacant and surrounded with vacant commercial structures to the north, single-family dwellings to the east, an abandoned railroad right-of-way and the Monon Trail to the west, and mixed-use development to the south, across East 16th Street.
- ◇ The Comprehensive Plan recommends public / semi-public uses that would include, but not be limited to, churches, schools, government property, power substations, switching stations, non-profit agencies, nursing homes, hospitals, union halls, and cemeteries.

(Continued)

STAFF REPORT 2015-CZN-835 / 2015-CVR-835 (Continued)

REZONING

- ◇ This request would rezone the site from three different zoning districts to the C-3C District to provide for mixed-use development. The C-3C (Commercial Corridor) District is typically found in older urban commercial areas, located adjacent to established neighborhoods on primary and secondary thoroughfares. To encourage the optimal use of these commercial areas, residential units are permitted in commercial buildings.
- ◇ The previous use as a food bank is consistent with the Plan recommendation of public-semi-public uses. It is likely that the recommendation was primarily based upon the existing use of the site as a food bank, without immediate plans to relocate.
- ◇ The proposed rezoning to the C-3C classification would meet many of the criteria for that district as a redevelopment and infill project. It would also expand upon current redevelopment projects in the area and complement those efforts.
- ◇ Staff, therefore, supports the rezoning request because of the land use changes within the area and the ongoing redevelopment efforts in the immediate area.

DEVELOPMENT STANDARDS

Setbacks

- ◇ This request would provide for and legally establish multi-family buildings setback 35 feet from the centerline of East 16th Street, whereas as the Ordinance requires a 70-foot setback. The existing building and development of the area pre-dated adoption of the Ordinance requiring a 70-foot setback. Complying with the Ordinance would require building demolition and limit development options consistent with the existing character of the area. Consequently, staff supports the reduced setback from the centerline of East 16th Street.

Parking

- ◇ The Commercial Zoning Ordinance (CZO) would require 262 on-site parking spaces for the proposed development. According to the site plan, 152 parking spaces would be provided. The Ordinance would require 213 parking spaces for the residential component and 49 parking spaces for the commercial component.
- ◇ Although the 100-space deviation would represent a substantial deviation from the Ordinance, staff would not find it problematic because parking minimums required by Ordinance are often difficult to adhere to, particularly for urban, infill projects on small lots. In this case, either the project would be reduced in scale, or an off-street parking lot nearby would be required. Staff believes both of these options would compromise the quality of the redevelopment and the character of the neighborhood.

(Continued)

STAFF REPORT 2015-CZN-835 / 2015-CVR-835 (Continued)

- ◇ Staff, however, believes that the parking should be reconfigured because the proposed 10 parking spaces located north of the “retail buildings” should be increased. Staff, therefore, would request that an amended site plan be submitted for Administrator’s Approval prior to the issuance of an Improvement Location Permit, identifying between 10 and 25 additional parking spaces proximate to the commercial uses.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

I-3-U / D-8 and C-5	Vacant industrial and commercial buildings and parking lot
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SURROUNDING ZONING AND LAND USE

North -	I-3-U / D-8	Vacant commercial buildings/ vacant single-family dwelling
South -	C-S / I-3-U	Mixed use development / industrial buildings
East -	D-8 / C-5	Single-family dwellings / commercial uses
West -	I-3-U	Abandoned railroad right-of-way / Monon Trail

NEIGHBORHOOD PLANNING AREA (2003)	Martindale Brightwood Neighborhood Plan recommends public / semi-public uses
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THOROUGHFARE PLAN	This portion of East 16 th Street is designated on the Official Thoroughfare Plan as a primary arterial, with an existing and proposed right-of-way of 60 feet.
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SITE PLAN	File-dated, December 18, 2015
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SITE PLAN (AMENDED)	File-dated, January 4, 2016
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FINDINGS OF FACT	File-dated, December 18, 2015
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ELEVATIONS	File-dated, January 4, 2016
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ZONING HISTORY

SUBJECT SITE

2000-VAC-046; 1600 Alford Street, requested a vacation of a portion of the improved right-of-way of Alford Street between East 16th Street and East 17th Street, with a waiver of benefits, **adopted**.

90-UV2-21; 1641 North Alford Street, requested a variance of use of the Dwelling Districts zoning Ordinance to permit the storage, maintenance, repair and rental of heavy equipment, as well as outside storage of crane attachments, **withdrawn**.

71-UV1-65; 1651 North Alford Avenue, requested a variance of use to provide for the construction of a building utilized for the storage of commercial trucks, **granted**.

70-UV3-178; 1601-1651 Alford Avenue, requested a variance of use to provide for a surface parking lot, **granted**.

(Continued)

STAFF REPORT 2015-CZN-835 / 2015-CVR-835 (Continued)

55-V-233; 1623 North Alvord Avenue, requested a variance of use to provide for a surface parking lot, **granted**.

55-V-35; 1649 North Alvord Avenue, requested a variance of use to provide for a surface parking lot, **granted**.

VICINITY

2015-CZN-825 / 2015-CVC-825; 1103 East 16th Street (south of site), requested rezoning of 0.80 acre from the C-S district to the C-S classification to provide for C-3C uses, with a few exclusions and without a maximum size limitation; coffee roasting; malt products; brewing and distillation of liquor and spirits; and C-1 uses, and to terminate all commitments related to 2005-ZON-197 and vacation of portions of rights-of-way of East 16th Street and Lewis Street, **pending**.

2009-ZON-035; 1609 Cornell Avenue (west of site), requested rezoning of 0.115 acre, being in the I-3-U District, to the D-8 classification to provide for residential uses, **approved**.

2008-DV3-016; 1607 Cornell Avenue (west of site), requested a variance of development standards of the Dwelling districts Zoning Ordinance to provide for a single-family dwelling and detached garage with reduced setbacks, **granted**.

2008-HOV-010; 1611 Cornell Avenue (west of site), Requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for the construction of a single-family dwelling, with a reduced front setback, **granted**.

2007-ZON-007; 1601-1607 Cornell Avenue / 1010 East 16th Street (west of site), requested rezoning of 0.258 acre, being in the I-3-U District, to the D-8 classification to provide for residential development, **approved**.

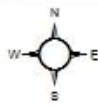
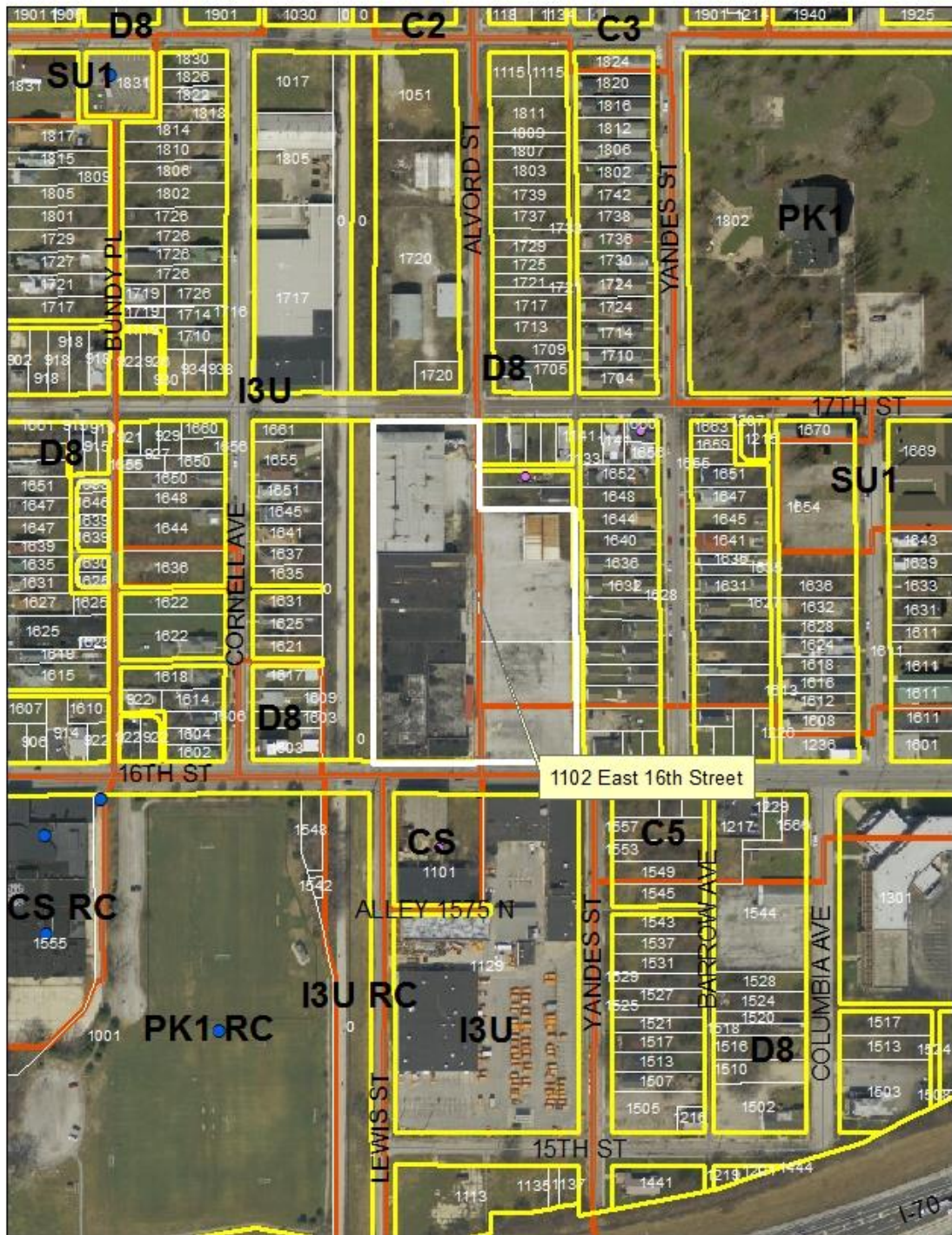
2006-ZON-027; 1636 Cornell Avenue (west of site), requested rezoning of 0.306 acre from the I-3-U District to the D-8 classification to provide for residential development, **approved**.

2005-ZON-197; 1101 East 16th Street (south of site), requested rezoning of 0.81 acre, being in the I-3-U District, to the C-S classification to provide for all C-3C uses, outdoor seating, artist galleries, music studios, and restaurant, with alcohol sales, and live entertainment, **approved**.

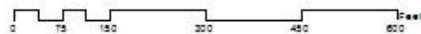
2003-HOV-023; 16221 Cornell Avenue (west of site), requested a variance of use to legally establish an existing single-family dwelling, and to provide for construction of a room and garage addition, in I-3-U, **granted**.

97-CP-12; 923 East 16th Street (west of site), requested rezoning of 16.1 acres of former state right-of-way to PK-1 and a Park District Approval to provide for soccer fields and a walking trail, **approved**.

97-NC-46; 1101 East 16th Street (west of site), requested a certificate of legal non-conforming use to provide for a scrap metal salvage business in a building, with reduced setbacks, **granted**.



1102 East 16th Street



DEVELOPMENT TOTALS:

-142 UNITS (62 x 1BR UNITS, 80 x 2BR UNITS)
-152 PARKING SPACES

JAN 04 2016

17TH ST

DIVISION OF PLANNING



PROPOSED SITE PLAN

SCALE: 1" = 50'-0"

60' 16TH ST. R.O.W.

16TH ST

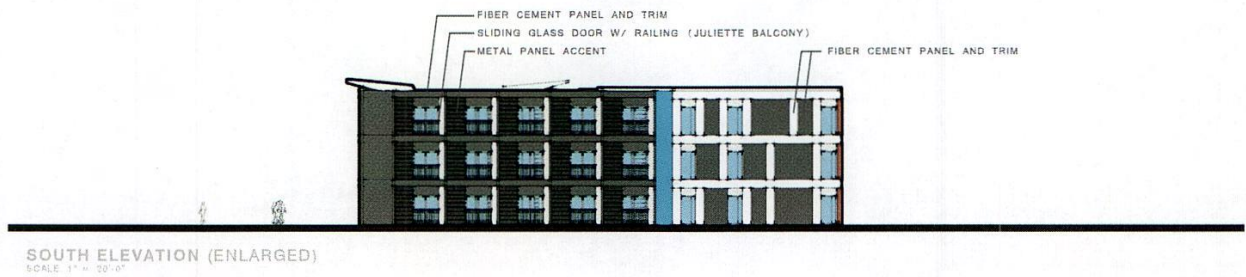
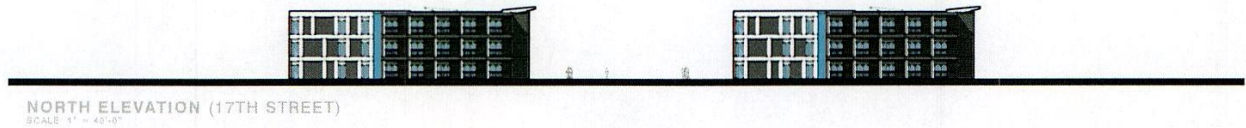


TWG
DEVELOPMENT LLC

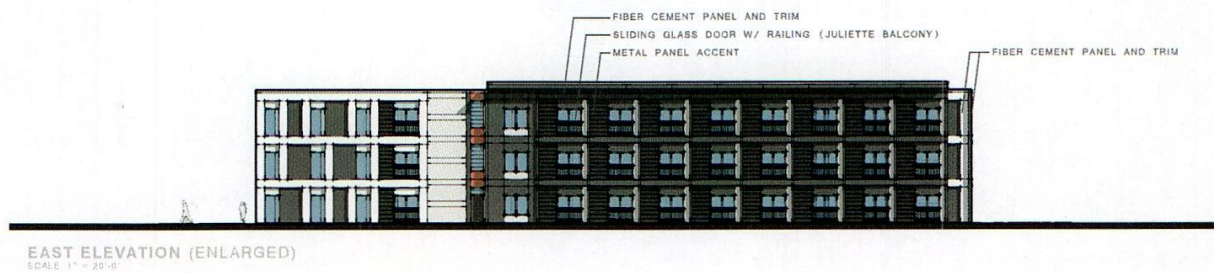
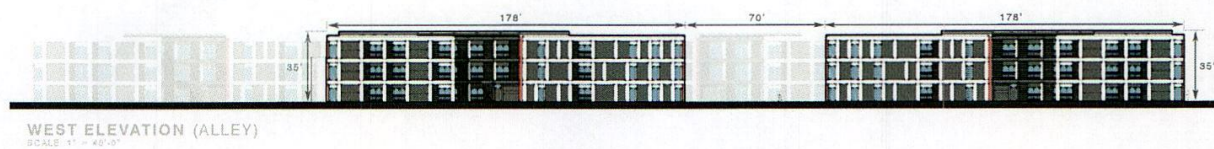
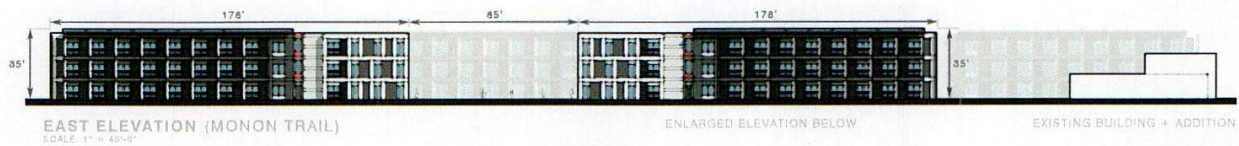
MONON LOFTS STUDY
04.JANUARY.2016

DKG

JAN 04 2016
DIVISION OF PLANNING



JAN 04 2016
DIVISION OF PLANNING





View looking west at existing building on site



View looking east along southern boundary of site



View looking north from East 16th Street sidewalk



View looking northeast at existing parking lot



View looking north along western property line



View looking north at northern portion of site



View looking northwest from northern boundary of site, across East 17th Street



View looking south from East 17th Street

STAFF REPORT

Department of Metropolitan Development
Division of Planning
Current Planning Section

Case Number: 2015-MOD-027
Address: 115 – 135 North College Avenue (Approximate addresses)
Location: Center Township, Councilmanic District # 15
Petitioner: Sun King Brewing Company, LLC, by Alex Beatty
Requests: Modification of Site Plan related to 99-Z-43 to provide for a site plan, with a building and brewing tank addition.

The petitioner has indicated that a revised site plan is forthcoming. In order to allow time for the site plan to be submitted and reviewed, this petition should be continued to the **January 28, 2016** hearing. A staff report will be available prior to the hearing.

JY

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2015-ZON-106
Address: 6917 Bluff Road (*Approximate Address*)
Location: Perry Township, Council District #22
Petitioner: CCreations, LLC, by David Gilman
Request: Rezoning of 0.90 acre from the D-A (W-5) district to the C-3 (W-5) classification to provide for fast-food restaurants, with drive-through lanes.

RECOMMENDATIONS

Staff **recommends approval** of the rezoning request, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. An amended site plan shall be submitted for Administrator's Approval, which complies with the development standards related to drive-through lanes, stacking spaces, and on-site maneuverability, and without the need for a variance.
2. A 70-foot half right-of-way shall be dedicated along Bluff Road as per the request of the Department of Public Works, Traffic Planning Section (DPW). Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The DPW has requested that the right-of-way be granted within 60 days of approval.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 0.90-acre site, zoned D-A (W-5), is undeveloped. Commercial uses are to the north and south, single-family dwellings to the east, separated by a 100-foot railroad right-of-way, and multi-family dwellings to the west, across Bluff Road.
- ◇ The Comprehensive Plan recommends residential development at zero to 1.75 units per acre.

REZONING

- ◇ This request would rezone 0.90 acre from the D-A District to the C-3 classification to provide for two fast-food restaurants, each with drive through components. Because of the commercial uses to the north, south, and southwest, it is unlikely that this site would be residentially developed. Therefore, this request would be a reasonable deviation from the Plan's recommendation.

(Continued)

STAFF REPORT 2015-ZON-106 (Continued)

SITE PLAN

- ◇ A site plan, file-dated December 7, 2015, although not required, was filed with this petition, which raised concerns with staff, with respect to two proposed drive-through facilities. Subsequently, an amended site plan, file-dated January 5, 2016, confirmed staff's concerns.
- ◇ As proposed, development standards related to required stacking spaces for each of the two drive-through lanes and on-site maneuverability would not be met, which would create internal conflicts and an intensity that would not be appropriate for the site and the surrounding land uses. Staff would not support variances for development standards for the proposed development because of the impact on adjacent properties.

DEPARTMENT OF PUBLIC WORKS

- ◇ The Department of Public Works, Traffic Planning Section, also requested the dedication and conveyance of a 70-foot half right-of-way along Bluff Road.

WELLFIELD PROTECTION DISTRICTS

- ◇ There are two wellfield district designations. An area identified as W-1 is a one year time-of-travel protection area. The W-5 is a five-year time-of-travel protection area. With the exception of single- and multi-family residential land uses, a development plan would be required to be filed and approved on behalf of the Metropolitan Development Commission by the technically qualified person in the Department of Public Works.
- ◇ This site is wholly located within the South Wellfield Protection Area, one of seven wellfields within Marion County, and has a secondary zoning classification of W-5 (Five-Year Time of Travel, Wellfield Protection Area). The Wellfield Zoning Ordinance establishes land use regulations that "apply to all land within the Wellfield Protection Zoning Districts, with the exceptions of single-and multi-family residential land uses." A wellfield is an area where the surface water seeps into the ground to the aquifer and recharges the wells that are the source of our drinking water. This secondary zoning district places closer scrutiny on uses and activities that might contaminate the underground drinking water supply.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-A Undeveloped

SURROUNDING ZONING AND LAND USE

North -	C-3	Commercial strip center
South -	C-4	Commercial uses
East -	D-7	Railroad right-of-way / Single-family dwellings
West -	D-P	Multi-family dwellings

(Continued)

STAFF REPORT 2015-ZON-106 (Continued)

COMPREHENSIVE PLAN (2007)	Recommends zero to 1.75 dwelling units per acre
THOROUGHFARE PLAN	This portion of Bluff Road is designated in the Official Thoroughfare Plan as a primary arterial, with an existing 60-foot right-of-way and a proposed right-of-way of 140 feet
SITE PLAN	File-dated December 7, 2015
AMENDED PLAN	File-dated January 5, 2016

ZONING HISTORY

2015-DV2-021; 6825 Bluff Road (north of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for a drive-through lane within approximately 60 feet of a protected district, and to provide for parking spaces, with a two-way access lane, conflicting with the stacking area of a one-way drive-through lane, **granted**.

2008-APP-820 and 2008-VAR-820; 6901 Bluff Road (north of site), requested a modification of the site plan, related to petition 2007-VAR-845, and a variance of development standards of the Commercial Zoning Ordinance (CZO) to provide for a six-foot front yard setback from the proposed right-of-way of Bluff Road, without landscaping; a five-foot south side transitional yard, without landscaping; up to 2,650 square feet of outdoor seating in the ten-foot walk in immediately adjacent to the proposed building; 22 off-street parking spaces with a usable parking area of 162-square feet, **approved**.

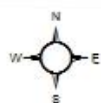
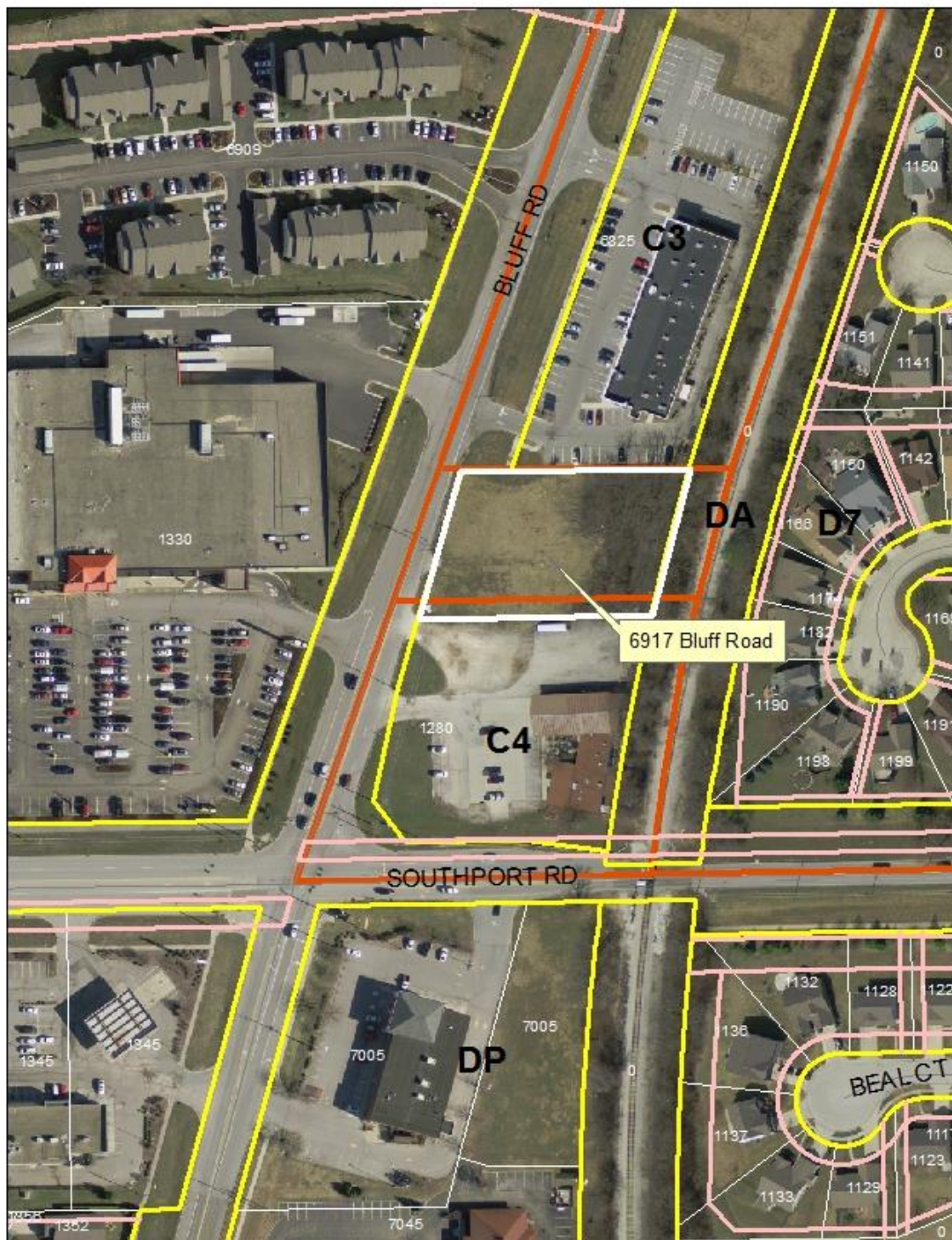
2007-ZON-845 and 2007-VAR-845; 6901 Bluff Road (north of site), requested a rezoning of 3.6 acres from D-A to C-3, and variance of development standards of the CZO to provide for a two-foot rear transitional yard and a drive-through service unit within 20 feet of a protected district, **approved**.

87-UV2-52; 6901 Bluff Road (north of site), requested Variance of Use of the Marion County Master Plan Permanent Zoning Ordinance to legally establish the use of an existing building for a lawn mower and small engine repair shop and for the sale of plant nursery stock, **approved**.

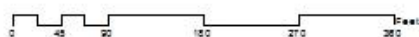
98-Z-160; 1450 West Southport Road (west of site), requested rezoning of 24 acres from D-P to D-P to provide for a 200-unit multifamily development and a commercial center including office and retail uses, **approved**.

93-Z-17; 7800 Bluff Road (west of site), requested rezoning of 375 acres from D-A and D-3 to D-P to provide for a commercial and residential mixed-use planned unit development, **approved**.

kb



6917 Bluff Road



SCALE: $1'' = 40'$

SOUTH LINE SOUTHEAST 1/4, SECTION 10-14-3E



View of site looking north from abutting property to the south



View looking east at railroad right-of-way and residential neighborhood



View looking south from abutting property to the north



View of site looking east, across Bluff Road



View looking northeast at commercial strip center to the north of site



View looking southeast at adjacent commercial property to the south

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2015-CZN-837 / 2015-CVC-837
Address: 756, 760, 764 and 768 Lynn Street and 1941 West St. Clair Street
Location: Center Township, Council District #15
Petitioner: Westside Missionary Baptist Church Inc., by Howard L. Stevenson
Request: Rezoning of 0.51 acre from the D-5 (W-1) district to the SU-1 (W-1) classification to provide for religious uses.

Vacation of Traub Avenue, being 40 feet wide, beginning at the south right-of-way line of West St. Clair Street, also being the northwest corner of Lot 62 of Jefferson Park Subdivision, as recorded in Plat Book 10, Page 13 of the Office of the Marion County Recorder, thence south 186.29 feet to the southwest corner of Lot 66 of said subdivision, with a waiver of the assessment of benefits.

Vacation of the first north-south alley, west of Lynn Street, being 10 feet wide, beginning at the south right-of-way line of West St. Clair Street, also being the northeast corner of Lot 62 of said subdivision, thence south 187.18 feet to the southwest corner of Lot 67 of said subdivision, with a waiver of the assessment of benefits.

RECOMMENDATIONS

Staff **recommends approval** of the rezoning request, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

Revised site and landscaping plans shall be submitted for Administrator's Approval, prior to the issuance of an Improvement Location Permit (ILP), which provides for 10-foot setbacks around the perimeter of the parking lots and year-around evergreen landscaping.

Staff finds that the vacation of Traub Avenue **would be in the public interest**, and the vacation **should be approved**.

Staff finds that the vacation of a portion of the first north/south alley west of Lynn Street **would not be in the public interest**, and the vacation should be **denied**.

RECOMMENDED MOTION (approval): That the Hearing Examiner finds that the proposed vacation of Traub Avenue is in the public interest; that a waiver of the assessment of benefits be granted; that the Hearing Examiner confirm and ratify the adoption of Declaratory Resolution 2015-CVC-837; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

(Continued)

STAFF REPORT 2015-CZN-837 / 2015-CVC-837 (Continued)

RECOMMENDED MOTION (approval): That the Hearing Examiner finds that the proposed vacation of the first north-south alley west of Lynn Street is in the public interest; that a waiver of the assessment of benefits be granted; that the Hearing Examiner confirm and ratify the adoption of Declaratory Resolution 2015-CVC-837; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

RECOMMENDED MOTION (approval / denial of the assessment of benefits): That the Hearing Examiner finds that the proposed vacation of the first north-south alley, west of Lynn Street is in the public interest, that a hearing upon the assessment of benefits be held on January 28, 2016; that the Hearing Examiner confirm and ratify the adoption of Declaratory Resolution 2015-CVC-837; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

RECOMMENDED MOTION (denial): That the Hearing Examiner finds that the proposed vacation is not in the public interest; and that the vacation petition be denied.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ This 0.51-acre site, zoned D-5 (W-1), consists of five residential lots to the east of the existing church, separated by a 10-foot wide north/south alley. These lots are surrounded by single-family dwellings to the north, east, and south, with religious uses to the west.

REZONING / SITE PLAN

- ◇ This request would rezone the site from the D-5 District to the SU-1 classification to provide for religious uses. The Plan for this neighborhood recommends residential development. Religious uses are generally compatible with residential uses.
- ◇ The site plan, file-dated November 25, 2015, would provide for demolition of the existing church (approximately 9,064 square feet) and construction of a new 15,300 square-foot building, with parking to the west and east, across Traub Avenue, and the alley, respectively.
- ◇ When reviewing site development plans for the SU-1 District, development standards of the C-1 District are used as a guide. Because the site is surrounded by protected districts, 20-foot transitional setbacks would be recommended for the front and side yards. Furthermore, parking areas or interior access drives are not permitted within setbacks.
- ◇ As proposed, the eastern parking lot has four-foot setbacks along West St. Clair Street and Lynn Street, and inadequate maneuverability for the two easternmost parking spaces. Because the proposed parking lot occupies only two of the five lots, staff believes that the parking should be reconfigured to provide minimum 10-foot setbacks along West St. Clair Street and Lynn Street and heavily landscaped with year around landscaping that would provide a buffer for the dwellings in this area.

(Continued)

STAFF REPORT 2015-CZN-837 / 2015-CVC-837 (Continued)

- ◇ The site plan for the western parking lot indicates a six-foot setback and inadequate maneuverability for the two westernmost parking spaces. The west side setbacks on the western parking lot should be increased to 10 feet to provide a buffer of year-around landscaping, along the north, west, and south perimeters. The 10-foot north and south setbacks would be acceptable.
- ◇ A revised site plan should be submitted for Administrator's Approval that provides for appropriate setbacks and landscaping on the perimeter of the site, along with the required parking for the congregation size. The site plan, file-dated November 25, 2015, provides for 67 parking spaces, whereas 75 parking spaces would be recommended. Because a majority of the area along Lynn Street is undeveloped, the eastern parking lot could be enlarged and reconfigured to provide for the additional parking spaces, 10-foot setbacks, and landscaping.

VACATION

- ◇ This petition would vacate a portion of Traub Avenue, being 40 feet wide, beginning at the south right-of-way of West St. Clair Street, thence south 187.88 feet to Lentz Park. The right-of-way of Traub Avenue was not improved until 2005 when it appears, from historical maps, that the church paved the right-of-way and created a parking lot. Aerial photography confirms the right-of-way was improved between 2003 and 2005.
- ◇ This portion of Traub Avenue only serves this development and terminates at the southernmost end of the property abutting Lentz Park. Traub Avenue does not continue through the park, but picks up again at the south property line of the park. The property to the south would not be impacted by the vacation because access to the park is gained from Traub Avenue along the southern boundary and the alleys to the west and east.
- ◇ The vacation **would be in the public interest and recommends the vacation petition be approved.** Since the proposed right-of-way to be vacated was improved by the church, the requested waiver of the assessment of benefits should be **approved.**
- ◇ This petition would also vacate a portion of the first north-south alley, west of Lynn Street, being 10 feet wide, beginning at the south right-of-way line of West St. Clair Street, thence south 187.18 feet to the southwest corner of Lot 67 (756 Lynn Street).

(Continued)

STAFF REPORT 2015-CZN-837 / 2015-CVC-837 (Continued)

- ◇ On a site visit, staff noted that the properties to the south gain access to their garages and parking areas, along with trash pickup, from the alley. A vacation of the northern section of the north/south alley would deny those properties the convenient means of access via a public right-of-way. There is an existing east/west alley at the southern terminus of the proposed vacation that is part of an approximately 53-foot wide lot. That lot and alley are part of Lentz Park property and owned by the City of Indianapolis, without any public right-of-way. If approved, the vacation would create a dead end and dramatically impact the access to the residential lots to the south. Furthermore, the large trash vehicles would be unable to negotiate the 90 degree turn, without encroaching and maneuvering upon private property, and would not be able to collect the trash, without backing up approximately 497 feet. Therefore, the vacation of a portion of this north/south alley would not be in the public interest. It should also be noted that the site plan filed with this petition demonstrates that the proposed building and eastern parking lot can function, without the need to vacate a portion of the alley.
- ◇ The approximately 10-foot wide right of way of the north-south alley has been improved from West St. Clair Street to the southern terminus (approximately 678 feet). A site visit and aerial photography confirms the right-of-way has been improved. The assessment of benefits, therefore, should not be granted.

WELLFIELD

- ◇ A wellfield is an area where the surface water seeps into the ground to the aquifer and recharges the wells that are the source of our drinking water. This secondary zoning district places closer scrutiny on uses and activities that might contaminate the underground drinking water supply.
- ◇ There are two wellfield district designations. An area identified as W-1 is a one year time-of-travel protection area. The W-5 is a five-year time-of-travel protection area. With the exception of single- and multi-family residential land uses, a development plan would be required to be filed and approved on behalf of the Metropolitan Development Commission by the technically qualified person in the Department of Public Works.
- ◇ This site is wholly located within the South Wellfield Protection Area, one of seven wellfields within Marion County, and has a secondary zoning classification of W-1 (One-Year Time of Travel, Wellfield Protection Area). The Wellfield Zoning Ordinance establishes land use regulations that “apply to all land within the Wellfield Protection Zoning Districts, with the exceptions of single-and multi-family residential land uses.” This site, being located in such a district, would be subject to those regulations, which include, but are not limited to, approval of the proposed site and development plan by a Technically Qualified Person (TQP).

PROCEDURE

- ◇ Neither the Division of Planning nor the Plat Committee, Hearing Examiner or Metropolitan Development Commission determines how vacated right-of-way is divided. This approval of a vacation petition only eliminates the public right-of-way. The vacation approval does nothing more. A petitioner will not receive a deed or other document of conveyance after the approval of the vacation.

(Continued)

STAFF REPORT 2015-CZN-837 / 2015-CVC-837 (Continued)

- ◇ The general rule under Indiana case law is that when a street or highway is vacated or abandoned, the title to the land reverts to the abutting property owners. The rule exists by virtue of the fact that the abutting land owner owns to the center of the street or highway. *Gorby v. McEndarfer* 135 Ind.App. 74, *82, 191 N.E 2d 786, **791 (Ind.App. 1963). However, there are possible exceptions to this general rule.
- ◇ After a vacation of public right-of-way, the county assessor determines how the vacated right-of-way will be assessed for tax purposes.
- ◇ Petitioners and abutters of the vacated right-of-way should consult their own attorneys for advice regarding the ownership of the vacated right-of-way.

GENERAL DESCRIPTION:

Vacation of Traub Avenue, being 40 feet wide, beginning at the south right-of-way line of West St. Clair Street and continuing south for 186.29 feet.

Vacation of the first north-south alley, west of Lynn Street being 10 feet wide, beginning at the south right-of-way line of West St. Clair Street and continuing south for 187-18 feet.

UTILITIES AND AGENCY REPORT

Telephone:	No answer, retain easement
CEG, Gas	No answer, retain easement
CEG, Water:	No answer, retain easement
CEG, Wastewater	No answer, retain easement
Power:	No answer, retain easement
Cable:	No answer, retain easement
DPR:	No answer, retain easement, if requested
DPW, TS:	No answer, retain easement, if requested

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-5 (W-1)	Undeveloped land
SU-1 (W-1)	

SURROUNDING ZONING AND LAND USE

North -	D-5 (W-1)	Single-family dwelling
South -	PK-1 (W-1)	Park
East -	D-5 (W-1)	Single-family dwellings
West -	SU-1 (W-1)	Religious uses

(Continued)

STAFF REPORT 2015-CZN-837 / 2015-CVC-837 (Continued)

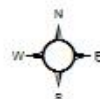
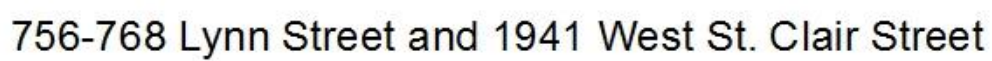
NEIGHBORHOOD PLANNING AREA (2014)	The Near West Neighborhood Land Use Plan recommends residential development at five to eight units per acre.
THOROUGHFARE PLAN	Lynn Street and West St. Clair are not designated on the Official Thoroughfare Plan.
SITE PLAN	File-dated, November 25, 2015
WELLFIELD PROTECTION AREA	This site falls within the W-1 Riverside Wellfield Protection District.

ZONING HISTORY

96-UV3-12; 902 Lynn Street (north of site), requested a variance of use to legally establish the conversion of a detached single-family residence on the same lot as an existing single-family resident, granted.

73-UV1-80; 901 North Belmont Avenue (west of site), requested a variance of use to permit existing building to be used for a church, with a building sign, denied.

kb





DEVELOPMENT SUMMARY

CURRENT ZONING = SU-1 (CHURCH) PROPOSED BUILDING = 15,300 S.F. (GROSS)
 ADJACENT ZONING:
 WEST = D-5
 SOUTH = PK-1
 EAST = D-5
 NORTH = D-5

REQUIRED PARKING
 TOTAL REQUIRED = 75 SPACES
 PROVIDED PARKING = 67 SPACES

SITE PLAN EXHIBIT

PREPARED FOR: Westside Baptist Church

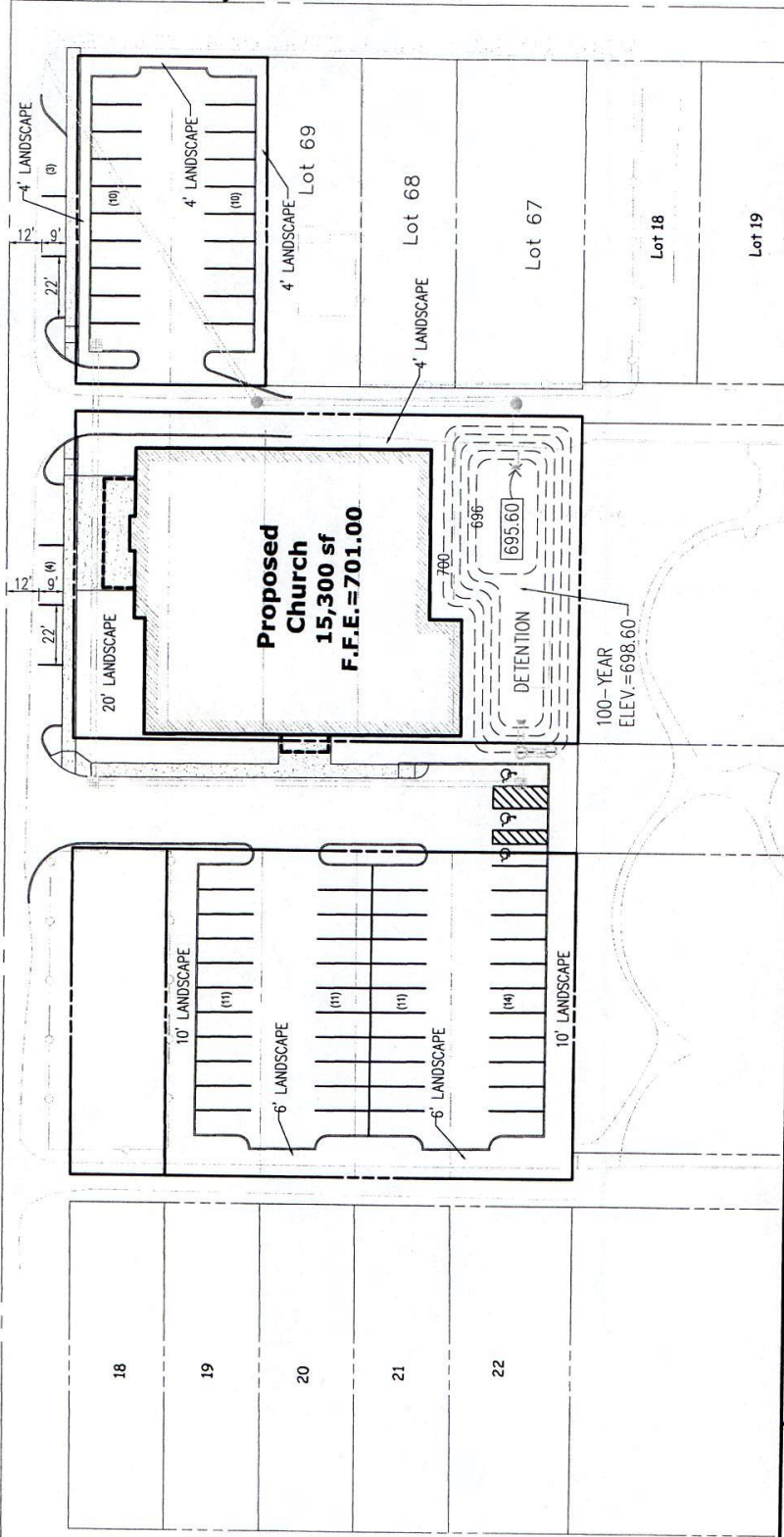
RECEIVE

NOV 25 2015

METROPOLITAN DEVELOPMENT

W. St. Clair Street - 50' R/W

Lynn Street - 40' R/W



CSG PROJECT NUMBER
WBC.001

SHEET 1 OF 1

DATE: 03/22/13
 DWN. BY: EAG
 CHKD. BY: EAG
 SCALE: 1" = 60'

1941 West St. Clair Street
 Indianapolis, IN
 For: WESTSIDE BAPTIST CHURCH

CIVIL SITE GROUP, INC.
 643 MASSACHUSETTS AVE., SUITE 200
 INDIANAPOLIS, INDIANA 46204
 (317) 423-3305 / (Fax) 423-3306

Civil Site

GROUP, INC.



View from alley looking east



View from alley looking southeast



View looking east at privately owned alley



View looking east at garages/trash containers of residents to the south of site



View looking northwest at southern portion of Lentz Park



View looking west at Lentz Park playground



View looking south at alley proposed to be vacated



View from site looking north at portion of Traub Street to be vacated



View from site looking west



View from site looking northwest, across existing parking lot

STAFF REPORT

**Department of Metropolitan Development
Division of Planning
Current Planning Section**

Case Number: 2015-CZN-838 / 2015-CVR-838 / 2015-CVC-838
Address: 510 East Fall Creek Parkway, North Drive; 2819-2957 (odd) North Central Avenue; 2802-2810 and 2826-2844 (even) Ruckle Street; 512 and 518 East 28th Street; 507 and 508 East 29th Street (*Approximate Address*)
Location: Center Township, Council Districts #9 and 15
Petitioner: Mapleton Fall Creek Development Association and Urban Elite Properties, LP, by David and Justin Kingen
Requests: Rezoning of 0.79 acre from the C-1 and C-4 districts to the C-3C district to provide for commercial and residential development.

Variance of development standards of the Commercial Zoning Ordinance to provide for:

- a) Two apartment buildings, with twenty-foot front setbacks (50 feet from the centerline) along Central Avenue (70-foot setback from the centerline required),
- b) a parking lot with a zero-foot front setback along Central Avenue (ten-foot front setback required),
- c) a parking lot with a ten-foot front transitional setback from 29th and Ruckle Streets (20-foot front transitional setback required),
- d) with a dumpster located in front of the established front setback line along Ruckle Avenue (not permitted),
- e) with 108 parking spaces (171 parking spaces required),
- f) with a building height of 50 feet (maximum 35-foot building height permitted), and
- g) to provide for a five-foot east side transitional yard (15-foot side transitional yard required).

Vacation of 28th Street, being 50 feet wide, from the east right-of-way line of Central Avenue, 277.78 feet to the west right-of-way line of Ruckle Street, as platted in Fleming's Fourth North Park Addition to the City of Indianapolis, as recorded in Plat Book 10, Page 130 of the Office of the Marion County Recorder, with a waiver of the assessment of benefits.

Vacation of part of the north-south alley, being 15.5 feet wide, east of Central Avenue and west of Ruckle Street, from the north right-of-way line of 28th Street, being the southeast corner of Lot 11 of Fleming's Third North Park Addition to the City of Indianapolis, as recorded in Plat Book Nine, Page 174 of the Office of the Marion County Recorder, to a point 103.74 feet to the north along the east line of Lot Nine of said subdivision, with a waiver of the assessment of benefits.

(Continued)

STAFF REPORT 2015-CZN-838 / 2015-CVR-838 / 2015-CVC-838 (Continued)

Vacation of part of the north-south alley, being 15.5 feet wide, east of Central Avenue and west of Ruckle Street, from the south right-of-way line of 29th Street, being the northeast corner of Lot 1 of Fleming's Third North Park Addition to the City of Indianapolis, as recorded in Plat Book Nine, Page 174 of the Office of the Marion County Recorder, to a point 183.57 feet to the south along the east line of Lot Five of said subdivision, with a waiver of the assessment of benefits.

The petitioner has requested a continuance to the **February 11, 2016** hearing to allow time for modifications to the request, site plans and elevations.

LA

STAFF REPORT

Department of Metropolitan Development
Division of Planning
Current Planning Section

Case Number: 2015-CZN-839 / 2015-CPL-839
Address: 9017 and 9119 Maze Road (*Approximate Address*)
Location: Franklin Township, Council District #25
Petitioner: Ray Theaker
Requests: Rezoning of 29.52 acres from the D-A (FF) to the D-1 (FF) classification to provide for residential development.

Approval of a Subdivision Plat to be known as Creekside Reserve, dividing 29.52 acres into 17 lots with a waiver of the maximum cul-de-sac length requirement to allow for a new 1,605-foot long cul-de-sac (maximum 650-foot length permitted).

The petitioner has requested a continuance to the **March 10, 2016** hearing to allow time to meet with interested neighbors.

LA
